



**Tennessee Department of Environment and Conservation**  
**Division of Water Pollution Control**  
**Mining Section**  
**3711 Middlebrook Pike**  
**Knoxville, Tennessee 37921-6538**  
**PHONE (865) 594-6035 FAX (865) 594-5253**

**Public Participation Opportunities**

**January 14, 2009**

**Public Notice M2009-01**

**Last Day to Submit Comments: February 17, 2009**

The purpose of this notice is to advise the public of the following draft environmental permits and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment.

**Individual NPDES Permits**

***Coal-Proposed Reissuance***

Applicant	<b>Tennessee Consolidated Coal Company</b>
Facility	<b>Morganville Surface Mine 4</b>
NPDES Permit Number	<b>TN0071170</b>
County	Marion
Street Address	Kelley Creek Road
City	Whitwell
Zip	37397
Description of Activity	Reclaimed surface coal mine
Receiving Stream	Griffith Creek
Effluent Description	Treated wastewater and stormwater
Facility Latitude	36°16'40"
Facility Longitude	85°30'45"
Permit Writer	MRR

***Non-Coal Proposed Reissuances***

Applicant	<b>Delta Contracting Company, LLC</b>
Facility	<b>Parks Gravel Pit</b>
NPDES Permit Number	<b>TN0069801</b>
County	Lauderdale
Street Address	650 John White Road
City	Ripley
Zip	38063
Description of Activity	Sand and gravel mining and processing
Receiving Stream	Unnamed tributary to Tisdale Creek
Effluent Description	Treated wastewater and stormwater
Facility Latitude	35°48'30"
Facility Longitude	89°28'00"
Permit Writer	KBG

Applicant **Nolichucky Sand Company, Inc.**  
Facility **Birds Bridge Dredge**  
NPDES Permit Number **TN0072303**  
County Greene  
Street Address 6950 Old Asheville Highway  
City Greeneville  
Zip 37743  
Description of Activity On-shore processing of dredged sand and gravel  
Receiving Stream Nolichucky River at mile 50.2 (Davy Crockett Reservoir)  
Effluent Description Treated wastewater and stormwater  
Facility Latitude 36°05'05"  
Facility Longitude 82°49'50"  
Permit Writer SJT

Applicant **Rogers Group, Inc.**  
Facility **Deason Quarry**  
NPDES Permit Number **TN0071846**  
County Bedford  
Street Address 190 Squire Hall Road  
City Shelbyville  
Zip 37160  
Description of Activity Limestone mining and processing  
Receiving Stream North Fork Creek  
Effluent Description Treated wastewater and stormwater  
Facility Latitude 35°38'23"  
Facility Longitude 86°26'15"  
Permit Writer SJT

Applicant **Vulcan Construction Materials, LP**  
Facility **Claiborne County Quarry**  
NPDES Permit Number **TN0066648**  
County Claiborne  
Street Address 945 Cedar Fork Road  
City Tazewell  
Zip 37879  
Description of Activity Limestone mining and processing  
Receiving Stream Unnamed tributary to Russell Creek  
Effluent Description Treated wastewater and stormwater  
Facility Latitude 36°28'16"  
Facility Longitude 83°32'48"  
Permit Writer SJT

Applicant **Vulcan Construction Materials, LP**  
Facility **Friendsville North Quarry**  
NPDES Permit Number **TN0072222**  
County Blount  
Street Address 3758 West Lamar Alexander Parkway  
City Friendsville  
Zip 37737  
Description of Activity Limestone mining and processing  
Receiving Stream Unnamed tributary to Floyd Creek  
Effluent Description Treated wastewater and stormwater  
Facility Latitude 35°44'39"  
Facility Longitude 84°09'31"  
Permit Writer SJT

TDEC is requesting public comment on these permit actions. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on these proposed actions are invited to submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax (865) 594-5253 or by e-mail at [Gary.Mullins@state.tn.us](mailto:Gary.Mullins@state.tn.us). Comments must be received by the end of comment period date (see page 1).

### **How to Request a Public Hearing:**

Interested persons may request in writing that the Director of the Division of Water Pollution Control hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why such a hearing is warranted. When there is significant public interest for a hearing, a hearing will be conducted according to *Rule 1200-4-5-.06 (12)* of the Division of Water Pollution Control. Public hearings will be announced through another public notice.

### **How the Department Will Proceed:**

The Director of the Division of Water Pollution Control will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State acts and regulations.

### **To Obtain Permit Details:**

Draft permits contain Antidegradation Determinations and Rationales that address information concerning the foundation for the Division's determinations. Copies of the application(s), draft permit(s), and supporting documentation are in the permit files maintained at the Mining Section's office located at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours. Please email [Tina.E.Jones@state.tn.us](mailto:Tina.E.Jones@state.tn.us) or call (865) 594-5616 to schedule an appointment for the review(s).

#### List of Permit Writers

<b>KBG</b>	<b>Kristen Gettelfinger</b>	<b>865-594-5545</b>	<a href="mailto:Kristen.Gettelfinger@state.tn.us">Kristen.Gettelfinger@state.tn.us</a>
<b>JPJ</b>	<b>Jesse Jones</b>	<b>865-594-5543</b>	<a href="mailto:Jesse.P.Jones@state.tn.us">Jesse.P.Jones@state.tn.us</a>
<b>GWM</b>	<b>Gary Mullins</b>	<b>865-594-5536</b>	<a href="mailto:Gary.Mullins@state.tn.us">Gary.Mullins@state.tn.us</a>
<b>MRR</b>	<b>Micheal Robbins</b>	<b>865-594-5542</b>	<a href="mailto:Micheal.Robbins@state.tn.us">Micheal.Robbins@state.tn.us</a>
<b>MES</b>	<b>Michael Swanger</b>	<b>865-594-5585</b>	<a href="mailto:Michael.Swanger@state.tn.us">Michael.Swanger@state.tn.us</a>
<b>SJT</b>	<b>Steven Turaski</b>	<b>865-594-5584</b>	<a href="mailto:Steven.Turaski@state.tn.us">Steven.Turaski@state.tn.us</a>
<b>DAT</b>	<b>Dave Turner</b>	<b>865-594-5541</b>	<a href="mailto:Dave.Turner@state.tn.us">Dave.Turner@state.tn.us</a>

### **State of Tennessee Antidegradation Policy**

Tennessee's Antidegradation Statement is in Chapter *1200-4-3-.06* of the *Rules of the Tennessee Department of Environment and Conservation*. The primary purpose of the Antidegradation Policy is to establish a greater level of protection for high quality waters. Some high quality waters are in near-pristine condition. Others are determined to be high quality due to specialized uses and/or unique features.

Generally, there are two types of high quality waters. Outstanding National Resource Waters (ONRWs) receive the greatest level of protection. The Water Quality Control Board designates these waters. New discharges or expansion of existing discharges cannot degrade existing water quality.

The Department identifies other high quality waters known as Exceptional Tennessee Waters and protects against their degradation. The Department may allow some degradation if the Department deems it economically and socially necessary.

Non Exceptional Tennessee Waters refer to surface waters that do not have the identification and/or designation as high quality. These waters must achieve and maintain Tennessee's Water Quality Standards.

### **State of Tennessee Policy of Non-Discrimination**

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20<sup>th</sup> Floor, L & C Tower, Nashville, TN 37243, 1-888-867-7455. Americans with Disabilities Act (ADA) inquiries or complaints should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12<sup>th</sup> Floor, L & C Tower, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).